



County of Los Angeles
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October 4, 2007

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

MOTION TO SUPPORT SB 220 (CORBETT) – ENHANCED WATER VENDING MACHINE AND BOTTLED WATER REGULATION (ITEM NO. 2, AGENDA OF OCTOBER 9, 2007)

Item No. 2 on the October 9, 2007 agenda is a motion by Supervisor Antonovich to send a five-signature letter to the Governor expressing the Board's support for SB 220 (Corbett). SB 220 would enhance the regulatory process administered by the California Department of Public Health (CDPH) governing water dispensed from water vending machines and the labeling requirements for bottled water. **Support for SB 220 is consistent with existing Board policy to support legislation to protect and improve drinking water supplies.**

SB 220 would require the following: 1) a water vending machine to be cleaned and sanitized at least once every 31 days; 2) the CDPH to inspect at least 20 percent of water vending machines annually; 3) the telephone number provided by water vending machine owners and other water vendors to be toll-free or local; and 4) bottled water sold in a beverage container to include the name and contact information for the bottler or brand owner, the source of the water in the bottle, and information for obtaining a bottled water report on the quality of the water. SB 220 also would increase the annual license fee paid by water vending machine owners from \$10.25 to \$40.

Proponents of SB 220 indicate that bottled water quality information is not consistently made available to consumers and many vended water machines are not clearly labeled

or regularly inspected. They contend that this bill will provide improved consumer protection so that users can make informed choices about their drinking water. Further, vended water facilities are currently inspected only when complaints are received, putting low-income communities who rely on vended water as their primary drinking water at a disadvantage.

Opponents indicate that bottled water is regulated as a food product by the Federal Food and Drug Administration, which subjects the industry to specific packaging, sanitation, and food processing laws, and that testing requirements, inspections and monitoring rules are already in place. They contend that it is more efficient to have national standards for products marketed nationally and worldwide, rather than state-only requirements which add costs to products and complexities to distribution systems.

The County Department of Public Health indicates that because the CDPH is the designated regulatory agency for provisions of SB 220, the measure is a State regulatory matter which will have minimal programmatic impact on the Department.

SB 220 is sponsored by Clean Water Action, Consumer Federation of California, the East Bay Municipal Utility District, and Latino Issues Forum. It is supported by the Association of California Water Agencies, California League of Conservation Voters, California Trout, California Watershed Network, Culligan, Environment California, Environmental Justice Coalition for Water, Environmental Working Group, Food and Water Watch, Irvine Ranch Water District, Learning Disabilities Association of California, Metropolitan Water District of Southern California, National Resources Defense Council, Planning and Conservation League, San Francisco Public Utilities Commission, and Sierra Club California. It is opposed by the California Bottled Water Association, California Chamber of Commerce, California Grocers Association, and the International Bottled Water Association.

Support for SB 220 is consistent with existing Board policy to support legislation to protect and improve drinking water supplies, as well as past Board support for similar measures including AB 83 (Corbett) of 2003, which failed passage in the Senate, and SB 1302 (Alarcon), which failed passage in the Assembly.

SB 220 passed the Assembly Floor on September 10, 2007 by a vote of 44 to 33, and is currently on the Governor's desk. It should be noted that October 14, 2007 is the last day for the Governor to sign or veto bills.

WTF:GK:MAL
DD:MS:acn

c: Executive Officer, Board of Supervisors
County Counsel
Department of Public Health